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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

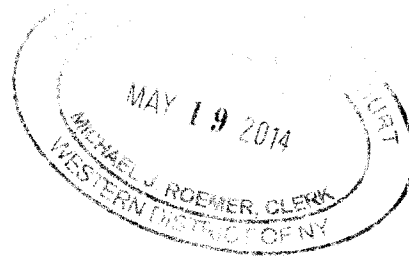
MARIA BOCANEGRA, OMAR RAMOS, LEILA
BOCANEGRA,

Plaintiffs,

-v-

93 ALEXANDER STREET d/b/a LACASA,
WILTON ENTERPRISES, INC., and LYJHA
WILTON,

Defendants.



14-CV-6180CJS
ORDER

Plaintiffs Maria Bocanegra, Omar Ramos, and Leila Bocanegra have submitted a complaint to the Court and seek permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Each plaintiff has submitted a separate affirmation of poverty which the Court has reviewed.

Plaintiffs Maria Bocanegra and Omar Ramos have failed to put forth sufficient indications of indigency. They identify themselves as husband and wife, and indicate they live together in a household and support their son, forming a household of three. They indicate their monthly income as \$3990.00, with monthly expenses substantially below this amount. *In forma pauperis* status may not be granted based on the information provided.

Plaintiff Leila Bocanegra has also submitted an affirmation which itself contains inconsistent information and also contains information inconsistent with the affirmations submitted by Maria Bocanegra and Omar Ramos. Plaintiff Leila Bocanegra indicates that she has employment income of \$266.00 per month, and a scholarship of \$233.00 per month, but only total gross monthly income of \$266.00 per month. She lists no expenses

for food, shelter or utilities. The only expense she lists is a \$55.00 per month payment she makes to her parents, plaintiffs Maria Bocanegra and Omar Ramos, and their son. The \$55.00 per month payment is not included in the affirmation submitted by Maria Bocanegra and Omar Ramos as income received.

It is possible that the three plaintiffs live together, and form a household of four with Maria Bocanegra and Omar Ramos' son, and that Leila Bocanegra's expenses for shelter, utilities and food are being paid for by her parents, but the Court cannot determine this based on the inconsistent and incomplete information provided by the plaintiffs in their affirmations.

Because the Court cannot grant the request for *in forma pauperis* status based on the information included in the applications, plaintiffs may have until **June 20, 2014**, to submit new applications which include accurate and complete information. The affirmations should include all income received from all sources. In addition, if plaintiff Leila Bocanegra does not herself pay any expenses, she needs to state how she is being supported and what is the amount of the expenses that are paid for her.

The Clerk of the Court is directed to send plaintiff's attorney new form applications for each plaintiff to proceed as a poor person.

By **June 20, 2014**, each plaintiff may either submit a newly-completed application form which includes all of the above-described additional information needed for the Court's determination of the request or the plaintiffs may pay the full fee of \$400.00.¹ Plaintiffs are forewarned that failure to comply with this order by either submitting new and

¹Effective May 1, 2013, an additional \$50.00 administrative fee has been added to the \$350.00 fee for filing a civil action.

complete applications or paying the filing fee by the designated date will result in the dismissal of this case without prejudice.

If plaintiffs have not complied with this order by **June 20, 2014**, the Clerk of the Court is directed to close this case as dismissed without prejudice without further order.

SO ORDERED.

DATED:

5/14, 2014
Buffalo, New York



JOHN T. CURTIN
United States District Judge